

REMARKS

Claims 77-80, 85-87, 89-94, 100 and 133 have been rejected under 35 U.S.C. 112, first paragraph, and the claims have been rejected for obviousness-type double patenting over the claims of U.S. patent 6,746,669. These rejections are respectfully traversed. Reconsideration and withdrawal thereof are requested.

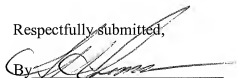
Even though the above-noted claims have been rejected, the Examiner has noted that claims 142-143 are allowable pending submission of a proper Terminal Disclaimer. Therefore, without conceding the propriety of the rejections of the claims, and in order to expedite prosecution of this application, independent claims 100 and 133 have been canceled, and the dependent claims have been modified to depend (either directly or indirectly) upon allowable claim 143. In addition, a properly executed Terminal Disclaimer is enclosed.

It is believed that these actions serve to obviate the Examiner's rejections, so that this application should now be in condition for allowance. Early action to that effect is requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 14, 2006

Respectfully submitted,

By 

Leonard R. Svensson
Registration No.: 30,330
BIRCH, STEWART, KOLASCH & BIRCH, LLP
12770 High Bluff Drive
Suite 260
San Diego, California 92130
(858) 792-8855
Attorney for Applicant